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09/698,502	10/27/2000	Nereida Maria Menendez	285277-00018	6442

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EXAMINER

VIG, NARESH

ART UNIT

PAPER NUMBER

3629

DATE MAILED: 05/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/698,502

Applicant(s)

MENENDEZ ET AL.

Examiner

Naresh Vig

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 –5, 10 – 12 and 14 – 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki US Publication US 2002/0026337 in view of Hertz Corporation hereinafter known as Hertz.

Regarding claim 1, Sasaki discloses a rental-car reservation method, a rental-car reservation system, and a recording medium wherein a rental-car reservation program is recorded are provided. A www server and a data control server receive rental-car reserving information from a customer terminal through a network. On the basis of the reserving information, a data control server directs a rental-car information control server, which is set in a car-rental agent, to allocate a rental car [abstract].

Sasaki discloses means and method for customer to enter reservation related information [Fig. 3, Fig. 8]. Sasaki does not differentiate between type of agreements. Applicant acknowledges that "It is known to provide a master rental proposal and to

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accept such proposal, in handwriting, in order to provide a master rental agreement, such as a car rental club agreement." [page 2, lines 26 – 28]. Hertz discloses system and method to provide online reservation system over the internet. Hertz discloses to differentiate between type of reservation related information [page 17]. Therefore, it would have been obvious to a person with ordinary skill in the art to use previously stored customer information (e.g. Hertz states "you can use some or all of the information" to expedite transaction process.

Sasaki discloses to confirm reservation related information [Fig. 7, S704, S714.

Discloses creating and displaying rental-related proposal based upon said reservation and said rental-related information [Fig. 11].

Electronically accepts said rental proposal [Fig. 16, Fig. 18]; The data control server 130 classifies information received from the customer terminal 110 into customer information and reserving information concerning reservation of a rental car in response to instructions from the www server 120. The data control server 130 also saves the customer information in a customer information data base, and the reserving information in a reserved information data base. Here, it is assumed that the customer information data base and the reserved information data base are set in the data control server 130 [0048].

Regarding claim 2, Sasaki discloses entering rental-related information without employing a master rental agreement. Alternatively, Hertz discloses entering rental-related information without employing a master rental agreement.

Regarding claim 3, Sasaki discloses manually entering rental-related information online. Alternatively, Hertz discloses manually entering rental-related information online.

Regarding claim 4 Sasaki does not discloses entering some rental-related information. Hertz discloses entering at least some of rental-related information (Hertz states that “you an use some (allowing modification of said information) or all of the information including your credit card number contained in your rental profile. Therefore, it would have been obvious to a person with ordinary skill in the art to enter some of rental related information to make the system efficient by minimizing the information gathering time and also to minimize data validity.

Regarding claim 5, Sasaki does not disclose entering member identification and a user identification to identify said master rental agreement. Hertz disclose customer entering member identification and a user identification to identify said master rental agreement [page 21]. Therefore, it is known at the time of invention to a person with

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ordinary skill in the art ask the customer to provide member identification and user identification to determine if the user is authorized user of the club [master rental agreement].

Regarding claim 10, Sasaki discloses sending a message to a database system responsive to said accepting step to indicate that a user has accepted said rental proposal [Fig. 16].

Regarding claim 11 Sasaki does not disclose storing a unique transaction in the system for said accepted rental proposal. Hertz discloses unique transaction in the system [page 22]. Therefore, it would have been obvious to a person with ordinary skill in the art to store unique transactions in the system to have reservation retrieval capability.

Regarding claim 12, applicant acknowledges that at the client system 26, the customer clicks on an "I accept" button on a web page, which, in turn, is stored by the mainframe 66 as an electronic signature. Sasaki discloses electronic signature (customer accepting the offer by clicking on OK) [Fig. 16]. Sasaki does not disclose have indication for customer selection of optional offerings. Hertz disclose to allow

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customer to make selections from optional offerings [page 34]. Therefore, it would have been obvious at the time of invention to a person with ordinary skill in the art to allow customers to make selection for optional offerings to make the system functional.

Neither Sasaki nor Hertz disclose having indicators for customer selection for optional offerings. However, Hertz disclose to allow customers to modify or cancel reservations. Therefore, it is would have been obvious to a person with ordinary skill in the art that Hertz has means and method to determine customer selection of optional offerings to enable the customer to make changes.

Regarding claims 14 – 15, Sasaki discloses offering rental options [Fig. 9, car type and class]. Sasaki does not disclose providing optional offerings to customers which the customer can accept or decline. Hertz disclose to allow customer to make selections from optional offerings [page 34]. Therefore, it would have been obvious at the time of invention to a person with ordinary skill in the art to allow customers to make selection for optional offerings to make the system functional. Neither Sasaki nor Hertz disclose having indicators for customer selection for optional offerings. However, Hertz disclose to allow customers to modify or cancel reservations, and storing the customer selection. Therefore, it is would have been obvious to a person with ordinary skill in the art that Hertz has means and method to determine customer selection, storing the customer selection of optional offerings for later retrieval to enable the customer review their selection and to make changes.

Regarding claim 16, Sasaki discloses electronically accepting rental proposal at a client system [Fig. 17].

Claims 6 – 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki US Publication US 2002/0026337 in view of Hertz Corporation hereinafter known as Hertz further in view of Coutts et al. US Patent 5,389,773 hereinafter known as Coutts.

Regarding claim 6, Sasaki does not disclose entering information from an identification of a user, entering at least some of said rental-related information from the history based upon said information from an identification of a user. Hertz discloses customer entering member identification and user identification [page 21], and, Hertz states “you can use some or all of the information”. Therefore, it would have been obvious to a person with ordinary skill in the art to use previously stored customer information to expedite transaction process.

Neither Sasaki nor Hertz disclose to maintain history of transactions by a user. Coutts discloses a self-service system which uses predictive technology. When a user begins a transaction by inserting an identification card into a card reader of an ATM, the



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predictive technology predicts which service or services provided by the system the user is likely to request. This prediction is based upon a stored record in the system, representing previous transactions by that user (history of transactions). The prediction is made in advance of completion of a process for the transaction, to increase the speed of operation [abstract]. Therefore, it would have been obvious to maintain transaction history to make predictions in advance of completion of a process for the transaction, to increase the speed of operation.

Regarding claim 7, Sasaki discloses that the customer inputs customer information, which is necessary for registering with members, such as customer's full name, sex, telephone number, e-mail address, license number and address into the customer terminal 110 on the input screen by dial operation and so forth. [0053].

Regarding claim 8, Sasaki does not disclose entering some of said rental-related information from the history. Hertz discloses customer entering member identification and user identification [page 21], and, Hertz states "you can use some or all of the information". Neither Sasaki nor Hertz discloses maintaining history file. Coutts discloses storing previous transactions by a user (history of user transactions). Therefore, it would have been obvious to a person with ordinary skill in the art to make

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predictions in advance of completion of a process for the transaction, to increase the speed of operation.

Regarding claim 9, Sasaki disclose allowing user to modify information. Sasaki does not disclose user to modify system entered information. Hertz discloses that customer can use some or all of the information stored in Hertz system. Neither Sasaki nor Hertz discloses maintaining history file. Coutts discloses storing previous transactions by a user (history of user transactions). Therefore, it would have been obvious to a person with ordinary skill in the art to allow customers to modify information to enable them to change their information and be able to select from choices offered by the system.

Claims 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki US Publication US 2002/0026337 in view of Hertz Corporation hereinafter known as Hertz further in view of an article "Dollar Rent A Car Introduces DOLLAR® TRAVEL CENTER At Key Airport Locations, Customers Obtain Free Travel Information At Interactive Kiosks" from KioskCom.com hereinafter known as KioskCom.

Regarding claim 13, neither Sasaki nor Hertz disclose using kiosks. KioskCom discloses the Dollar Rent A Car introduced the "DOLLAR® TRAVEL CENTER," an

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interactive kiosk providing helpful travel information for its customers at Atlanta, Ft. Lauderdale, Miami, Las Vegas and Los Angeles airports. The kiosks are conveniently located at the DOLLAR pickup and return areas at each airport. By touch, customers can make air, hotel and DOLLAR car rental reservations; obtain U.S. weather forecasts, driving directions and event information; access personal Web-based e-mail accounts, as well as receive free Internet access and view the top headline news of the day, all at the interactive kiosk. Therefore, it would have been obvious to a person with ordinary skill in the art to use kiosks to provide point of sales at locations convenient to customers.

Regarding claim 17, neither Sasaki nor Hertz disclose using kiosks. KioskCom discloses the Dollar Rent A Car introduced the "DOLLAR® TRAVEL CENTER," an interactive kiosk providing helpful travel information for its customers at Atlanta, Ft. Lauderdale, Miami, Las Vegas and Los Angeles airports. The kiosks are conveniently located at the DOLLAR pickup and return areas at each airport. By touch, customers can make air, hotel and DOLLAR car rental reservations; obtain U.S. weather forecasts, driving directions and event information; access personal Web-based e-mail accounts, as well as receive free Internet access and view the top headline news of the day, all at the interactive kiosk. Therefore, it would have been obvious to a person with ordinary skill in the art to use kiosks to provide point of sales at locations convenient to customers.

**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

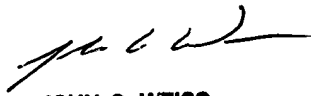
1. DeVolpi US Patent 6,384,717

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is 703.305.3372. The examiner can normally be reached on M-F 7:30 - 5:00 (Alt Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703.308.2702. The fax phone numbers for the organization where this application or proceeding is assigned are 703.305.7687 for regular communications and 703.305.7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.305.3900.

Naresh Vig  
April 25, 2003

  
**JOHN G. WEISS**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 3600**